

## **ATTACHMENT C**

### **REMARKS**

By this amendment, Applicants submit new Claims 17-21 which place the application in condition for allowance for reasons as set forth below, and reconsideration of the present application in light of the amended claims and the arguments below is respectfully requested.

In the Official Action, the Examiner objected to the specification with regard to possible trademark use regarding some of the terms of the specification. Without addressing the merits of this rejection, Applicants have amended the specification to reflect registered trademarks wherever appropriate.

In the Official Action, the Examiner made various objections to the language of the claims under 35 U.S.C. § 112, second paragraph, and without addressing the merits of these rejections, Applicants have provided a new set of claims which are entirely proper under 35 U.S.C. §112. The Examiner's outstanding rejections under 35 U.S.C. §112, insofar as applied to the claims as amended, are respectfully traversed and should be withdrawn.

In the Official Action, the Examiner provisionally rejected the claims on the basis of co-pending patent application serial no. 09/982,992 which does not disclose or suggest the Map19 protein as disclosed and claimed in the present application, nor does it disclose or suggest the presently claimed method wherein T-cell mediated responses are prevented or modulated. Accordingly, the present claims are clearly patentably distinct from the claims of the '992 application, and the Examiner's

provisional rejection, insofar as applied to the claims as amended, is respectfully traversed and should be withdrawn.

Finally, in the Official Action, the Examiner rejected the claims on the basis of the Hook et al. U.S. Patent No. 5,648,240 as evidenced by Kaempfer US published application 2002/0028211. However, the Hook et al. patent relates specifically to the Map protein and does not disclose or suggest the present invention wherein the Map19 protein is utilized in the prevention or modulation of T-cell mediated responses, and the Kaempfer reference is totally unrelated to the present invention. In addition, contrary to the Examiner's comments that the terms "Map protein" and "Map19" are not well defined, the cited Hook patent shows that the term Map protein would be well understood in the art, and that the Map19 protein is defined as set forth in the present application. Further, the ability of the Map proteins including Map19 to prevent or modulate T-cell mediated responses is something that is not disclosed or suggested in the prior art. Accordingly, neither the Hook or Kaempfer references, either singly or in combination, disclose or suggest the present invention, and the Examiner's rejections, insofar as applied to the claims as amended, are respectfully traversed and should be withdrawn.

In light of the amendments and arguments as set forth above, Applicants submit that the present application overcomes all prior rejections and has been placed in condition for allowance. Such action is earnestly solicited.

**END OF REMARKS**